REMARKS

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Following is information requested by the Examiner in the paper mailed December 23, 2003. Such information has been itemized by paragraph per the paper mailed December 23, 2003.

- The Examiner has requested that applicant identify products and services 2. embodying the disclosed subject matter of Claims 1-29, and identify the properties of similar products and services found in the prior art. In response, applicant submits herewith Appendix A including a description of the "AirMagnet Wireless LAN Handheld Analyzer," which is a product embodying the subject matter of applicant's claims. The properties of similar products/services that are found in the prior art are either unknown or cannot be readily obtained.
- The Examiner has further requested that applicant provide the names of any 3. products or services that have incorporated the claimed subject matter. Again, in response, applicant submits herewith Appendix A including a description of a product named "AirMagnet Wireless LAN Handheld Analyzer," which has incorporated the claimed subject matter.
- 4. The Examiner has further requested a copy of the rigid comparison of the alleged infringing device and method identified in the petition filed on 06/02/03 (paper #5) along with any supporting documents concerning place and date(s) of use and/or sale of the alleged infringing device. In response, applicant submits herewith Appendix B including a claim chart correlating the infringing device and method of Appendix A with the claims of the present application. With respect to the requested supporting documents concerning place and date(s) of use and/or sale of the alleged infringing

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device, Appendix A indicates that the subject matter relating to the "AirMagnet Wireless LAN Handheld Analyzer" was published in 08/02.

The Examiner has still further requested that applicant state the specific 5. improvements of the claimed subject matter in Claims 1-29 over the disclosed prior art and indicate the specific elements in the claimed subject matter that provide those improvements. In response, following is such claim-by-claim analysis.

Claims 1-29 provide a technique for reporting on network analysis. To this end, the network traffic information is capable of being reported in a distributed environment. Shown below in bold are selected elements in the claimed subject matter that provide these improvements.

- A method for reporting on network analysis, comprising: 1.
- collecting network traffic information utilizing a plurality of agents (a) installed in computers distributed among a plurality of zones;
- (b) receiving the network traffic information collected from the agents associated with each zone at a separate controller; and
- transmitting a report on the network traffic information from the controller (c) to a computer coupled thereto via a network.
- The method as recited in claim 1, wherein the report is capable of being 2. displayed on the computer utilizing a network browser.
- The method as recited in claim 1, wherein the network includes the Internet. 3.

- The method as recited in claim 1, and further comprising receiving a request at 4. one of the controllers for a report on the network traffic information corresponding to the zone associated with the controller.
- The method as recited in claim 4, wherein the report is transmitted in 5. response to the request.
- The method as recited in claim 1, wherein the report includes a network 6. analyzer report.
- The method as recited in claim 1, wherein the report includes a plurality of 7. objects.
- The method as recited in claim 7, wherein the objects are in a tree 8. representation.
- A computer program product for reporting on network analysis, comprising: 9.
- computer code for collecting network traffic information utilizing a plurality (a) of agents installed in computers distributed among a plurality of zones;
- computer code for receiving the network traffic information collected from (b) the agents associated with each zone at a separate controller; and
- computer code for transmitting a report on the network traffic information (c) from the controller to a computer coupled thereto via a network.
- 10. The computer program product as recited in claim 9, wherein the report is capable of being displayed on the computer utilizing a network browser.
- 11. The computer program product as recited in claim 9, wherein the network includes the Internet.

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- 13. The computer program product as recited in claim 12, wherein the report is transmitted in response to the request.
- 14. The computer program product as recited in claim 9, wherein the report includes a network analyzer report.
- 15. The computer program product as recited in claim 9, wherein the report includes a plurality of objects.
- 16. The computer program product as recited in claim 15, wherein the objects are in a tree representation.
- 17. A system for reporting on network analysis, comprising:
- (a) logic for collecting network traffic information utilizing a plurality of agents installed in computers distributed among a plurality of zones;
- (b) logic for receiving the network traffic information collected from the agents associated with each zone at a separate controller; and
- (c) logic for transmitting a report on the network traffic information from the controller to a computer coupled thereto via a network.
- 18. The system as recited in claim 17, wherein the report is capable of being displayed on the computer utilizing a network browser.
- 19. The system as recited in claim 17, wherein the network includes the Internet.

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- 21. The system as recited in claim 20, wherein the report is transmitted in response to the request.
- 22. The system as recited in claim 17, wherein the report includes a network analyzer report.
- 23. The system as recited in claim 17, wherein the report includes a plurality of objects.
- 24. The system as recited in claim 23, wherein the objects are in a tree representation.
- 25. A method for reporting on network analysis, comprising:
- (a) collecting network traffic information utilizing a plurality of agents installed in computers distributed among a plurality of zones;
- (b) receiving the network traffic information collected from the agents associated with each zone at a separate controller;
- (c) receiving a request at one of the controllers for a report on the network traffic information corresponding to the zone associated with the controller; and
- (d) transmitting the report from the controller to a computer coupled thereto via a network;
- (e) wherein the report is capable of being displayed on the computer utilizing a network browser.

26. A method for reporting on network analysis, comprising:

collecting network traffic information utilizing a plurality of information collectors installed in computers distributed among a plurality of zones;

receiving the network traffic information collected from the information collectors associated with each zone at an information collector manager; and

generating a report on the network traffic information associated with a selected one of the zones.

- 27. The method as recited in claim 26, wherein the information relates to wireless network traffic.
- 28. A computer program product for reporting on network analysis, comprising:
 computer code for collecting network traffic information utilizing a plurality
 of information collectors installed in computers distributed among a plurality of
 zones:

computer code for receiving the network traffic information collected from the information collectors associated with each zone at an information collector manager; and

computer code for generating a report on the network traffic information associated with a selected one of the zones.

29. The computer program product as recited in claim 28, wherein the information relates to wireless network traffic.

The Examiner continues by stating that the information disclosure statement filed February 12, 2002 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP 609 because no explanation of the relevance to the present application has been provided. In response, applicant draws the Examiner's attention to the following excerpt from MPEP 609 A(3), wherein it states that such concise explanation is required

only for non-English submissions. Thus, applicant asserts that the information disclosure statement filed February 12, 2002 indeed complies with the provisions of 37 CFR 1.97, 1.98 and MPEP 609, and should be considered by the Examiner.

"A (3) Concise Explanation of Relevance

Each information disclosure statement must further include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent, publication, or other information listed that is not in the English language. The concise explanation may be either separate from the specification or incorporated therein. The requirement for a concise explanation of relevance is limited to information that is not in the English language."

Still yet, the Examiner has rejected Claims 1-26 and 28 under 35 U.S.C. 102(b) as being anticipated by Fletcher et al., USPN 6,108,782. Still yet, the Examiner has rejected Claims 27 and 29 under 35 U.S.C. 103(a) as being unpatentable over Fletcher in view of Sharon et al., USPN 6,137,782.

Applicant respectfully disagrees with such rejections, especially in view of the amendments made hereinabove. For example, the Examiner relies on the following excerpt of Fletcher to make a prior art showing of applicant's claimed "wherein the report includes a plurality of objects in a tree representation" (note all independent claims).

"SNMP is designed to support the exchange of Management Information Base (MIB) objects through use of two simple verbs, get and set. MIB objects can be control structures, such as a retry counter in an adaptor. Get can get the current value of the MIB and set can change it." (col. 3, lines 47-49)

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"The dRMON Collector receives RMON analysis and capture data from the agents and sorts, collates, and aggregates that information into a cohesive database that recreates the view a prior art RMON probe would have if the ESs were all on the same LAN segment with the prior art probe. The collector can then makes this information available to management applications, either using SNMP and the MIB-II and RMON MIBs or optionally, to WEB browsers via HTTP or other web interface language. Different instances of the Collector, like the Agent, can be developed to support a number of different operating systems." (col. 9, lines 33-43)

After carefully reviewing such excerpt along with the remaining Fletcher reference, it appears to applicant that the Examiner is not taking into consideration the full weight of applicant's claims. Specifically, there is simply no disclosure, teaching or suggestion of a "report [that] includes a plurality of objects in a tree representation," as claimed by applicant. Only applicant teaches and claims such a novel tree-representation-based report for more effectively displaying objects and reporting on the same.

The Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fcd. Cir. 1987). Moreover, the identical invention must be shown in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.*868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. This criteria has simply not been met by the Fletcher reference.

Nevertheless, in the spirit of expediting the prosecution of the present application by further distinguishing applicant's claimed invention, applicant has amended each of the independent claims to recite "a plurality of consoles [that] are

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coupled to the information collector manager, controller, etc. for collecting the network traffic information from the information collector manager, controller, etc. and displaying the network traffic information from the information collector manager, controller, etc., wherein a user interface is adapted for analyzing an output."

Still yet, further claimed in combination with the foregoing features are "intrusion detection services [provided]... based on the network traffic information." Again, see all of the independent claims.

Such limitations provide not only a unique combination of features and components, but also work synergistically to provide an improved system. For example, by utilizing the specific features for not only quality assurance, but also intrusion detection, the present system is ideally equipped for distributed network analysis of highly vulnerable networks, where security is particularly problematic.

Still yet, by providing a three-tier approach including "information collectors" (i.e. agents, etc.) communicating with at least one "information collector manager" (i.e. controller, etc.) communicating, in turn, with "consoles", an improved distributed network analysis approach is provided where access to reporting is improved. Simply nowhere in the prior art is there such a combination of features and components for fulfilling the foregoing objectives. For example, note that only one management console 54 (see FIG. 1) is disclosed by Fletcher.

A specific showing of each of the foregoing limitations or a notice of allowance is respectfully requested.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. Applicants are enclosing a check to pay for the added claims. The Commissioner is authorized to

charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NAI1P064_01.306.01).

Respectfully submitted,

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Distributed WLAN Integrity Management System

The past year has seen the role of the Wireless LAN in the enterprise undergo a fundamental transformation. A groundswell of demand from both CXOs and end-users alike has made Wi-Fi a pervasive component of the enterprise network. This adoption, however, has been anything but strict. Growth has been notoriously viral and unregulated, making it a challenge to even know about all the Wi-Fi infrastructure being deployed, much less manage it.

New breeds of security measures have evolved out of necessity, but have done so without a methodology to insure that they are actually enforced. Environmental factors continue to impact the performance and reliability of the network itself, and a reliance on outdated tools intended for wired networks has forced network managers into a purely reactive management strategy. These issues are the unique domain of the AirMagnet Distributed System.

Appendix A

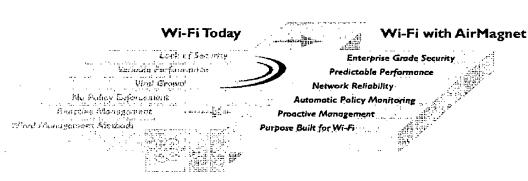


The AirMagnet Distributed System is the first and only solution to fully address the Integrity of wireless networks - providing 24x7 monitoring of the Security, Performance, and Reliability of any number of WLANs, and delivering actionable information to management staffs and systems anywhere in the world.

AirMagnet Distributed replaces an informational void with complete knowledge of every Wi-Fi device and channel in the environment regardless of band (11a, 11b, or 11g). Management staff can easily monitor the security measures

in use on every device to insure compliance with established policies, while automatically scanning for dozens of wireless network attacks. In addition to security, the AirMagnet Distributed System proactively addresses the performance and reliability of the network, without which, the WLAN simply could not be held to enterprise standards. Dozens of configurable alarms proactively alert managers to developing issues before they lead to problems, and a suite of active testing utilities enable managers to test their infrastructure from any location they choose.

WLAN
Integrity
Management
ensuring network
Security
Performance
and Reliability



AirMagnet Distributed
WLAN Integrity Management delivers security,
performance, and reliability throughout the network lifecycle

AirMagnet Distributed: The Industry's Most Sophisticated Monitoring

The front line of the AirMagnet Distributed System is manned by strategically placed Intelligent Sensors. These sensors provide around-the-clock coverage of the entire wireless environment including all 11a, 11b, and 11g channels and infrastructure. Each individual sensor is armed with the patent-pending AirWISE Analytical Engine, to autonomously monitor the security, performance, and reliability of the network. Functionality built into each sensor, allows network professionals to:

Gain Control Over Security Policy
No issue has defined WI-Fi more than security. While the past
year has welcomed new security protocols that make WLANs as
secure as their wired counterparts, insuring that all users and
stations comply with these security measures has been
another issue entirely. AirMagnet Sensors address this gap by
auditing and validating the security of every Wi-Fi device in the
network, providing managers with an easy process to insure all
users employ the appropriate level of security. Supported
protocols include:

wepleap

• wpa

ipsec vpn

leappeap

802.1xttls

mic

pptp vpn12tp vpnssh vpn

tkip • tls

Detect Wireless Intruders and Attacks
Maintaining internal defenses is only half the security battle.
As Wi-Fi has grown, so too have the number and sophistication
of wireless attacks. AirMagnet Sensors have been engineered
specifically to counter these threats - scanning the
environment for Rogue APs and War-Drivers, Spoofed MAC
Addresses, and a host of Denial of Service Attacks unique to
Wi-Fi. Sensors send encrypted real-time alarms in response to
an attack, allowing staff to respond before
the network is impacted.

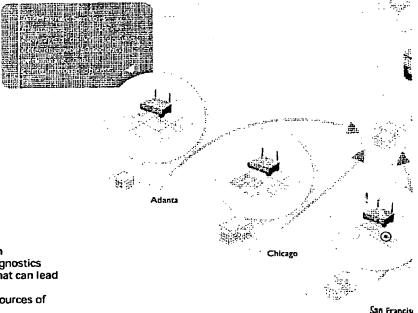
Lock In Network Performance
Radio Frequency transmissions are inherently
susceptible to environmental factors such as
physical obstructions and radio interference
from a variety of sources. If not identified
and managed, these factors can lead to
unacceptable performance for the
end-user. To address this
challenge, AirMagnet Sensors
constantly monitor and
alarm on over 20 key
indicators of network health,
allowing engineers to take a
proactive approach to the
maintenance of the network.

Ensure Network Reliability
In addition to predictable performance, WLANs
must be highly reliable before being considered
business grade. The AirMagnet Distributed System
addresses this need with a suite of alarms and diagnostics
that detect network faults and misconfigurations that can lead
to outages in the network. These diagnostics are
compl mented by active utilities to pin down the sources of
connectivity problems in the network.

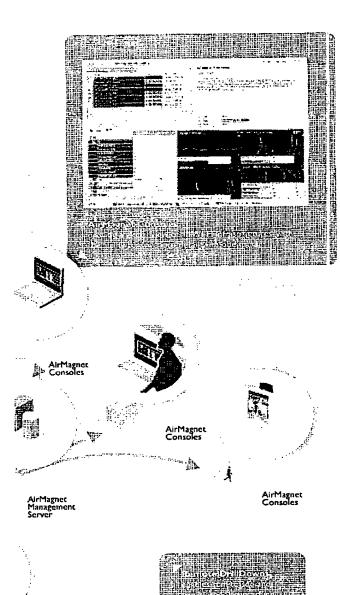


AirMagnet Distributed: 24x7 Wi-Fi Integrity Management

- multi-band coverage 11 a,b,g
- infrastructure agnostic
- standards based security
- control over network policy and growth
- proactive management
- local processing ensures enterprise scalability
- integrated with leading network management consoles







Secure Scalable Management

Contr Iled Centralized System Management
The AirMagnet Management Server receives information
from every AirMagnet Sensor and provides a centralized
SQL database of all network data and alarms. SNMP traps
allow for seemless integration with leading management
consoles such as HP Open View and CA UniCenter. All
traffic is secured via SSL and TLS insuring management
information remains secure while interoperating with
corporate firewalls and VPNs.

Configuration and User Management
The Management Server also maintains configurations
for every Sensor in the System, allowing IT Personnel to
tune sensor thresholds appropriately for each location.
Additionally, AirMagnet Distributed supports three
unique user levels, insuring that the users access only
the level of information appropriate for their role and
level of responsibility.

Anywhere, Anytime Integrity Management
The AirMagnet Management Console provides the
User Interface to The AirMagnet Distributed System.
From the Management Console, Users can view alarms
and WLAN health by Campus, Building, Floor, or by
individual Sensor. Consoles can be run securely whether
in a NOC, or remotely on a laptop or Pocket PC - keeping
networkers connected to the information they need,
regardless of their location.

Remote Drill-Down

One of the most powerful features of the AirMagnet Console is the ability to remotely drill in to any AirMagnet Sensor. This allows Users to securely connect to a particular sensor, from any location, and view detailed information in real-time. Users can view low level data on every channel and device in the area, see alarms, real-time local statistics, and even review packet decodes.

Remote Troubleshooting and Active Tools
Using the Remote UI built into the AirMagnet
Management Console, Users can leverage a host of
active troubleshooting tools to pinpoint problems in
the network. These tools allow the User to remotely
test Throughput on a particular AP, Diagnose
Connection Problems, and perform Layer 3
Debugging and End-to-End Provisioning.
Such remote capability greatly
reduces the need to dispatch
resources when
troubleshooting the WLAN.

Efficient Use of Network Resources
Most remote monitoring systems simply capture wireless
packets and resend them to a remote site for processing,
needlessly consuming valuable bandwidth. AirMagnet
Sensors, conversely process locally, sending real-time
alarms only when thresholds are reached. Trending data
is saved on the sensor, and securely sent at regular
intervals t the Management Server, minimizing
operational I ad on the network and servers.





The Comprehensive Solution

AirMagnet Distributed Specifications

General

A,B,G Supported 802.11 Standards

Radio Frequency

24 GHz 5 GHz Bands Concurrently

Supported Security Standards

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info@airmagnet.com

802.1% LEARTHIR MIC, PEAR WPA, VPI IS

SNMPTraps

Integration to 3rd Party Consoles HP OpenView, CA Unicenter

Reporter Option Yes

Secure Communication SSL.TLS Real-Time Decode Yes

Decode Level Layers 1,2.3

Trace File Compatibility Air Magnet, Smiller, Ethereal

End to End Connectivity

- Mismatched SSID
- Client with Match All SSID
- Mismatched RF Channel Mismatched Privacy Setting
- Authentication Failure
- Reassociation Failure
- Possible Equipment Fallure
- AP Stenal Out of Range
- · Mismatched Capability Settings
- Device With Bad WEP Key · Higher Layer Protocol Problem
- 802.1x Authentication Failure

- · Perform
- DHCP • TraceRoute
- Ping

Security Management

Policy Enforcement - Detects 15 Violations

- AP with WEP Disabled
- Client Station with WEP Disabled
- WEP IV Reused
- Device Using Open Authentication
- AP Unconfigured
- Rogue AP
- Rogue Client Station
- · Crackable WEP IV in Use Device Unprotected by VPN
- Device Unprotected by B02.1x
- AP Broadcasting SSID
- Ad-hoc Station Detected
- · Long EAPRekey Timcout
- Device Using Shared Key Authentication
- Unassociated Station Detected

Detects 12 Sources of Poor Performance

- · Low Transmission Speed
- · High Bandwith Usage
- Missed AP Beacons

- Supported

Performance Management

- · AP With Weak Signal Strength
- · High Packet Fragmentation Rate
- · High Speed Transmission Not Supported
- Channel Overloaded by APs R02 11 Performance Options Not
- APs With Mutual Interference
- High Mgmt and Control Frame
- AP Overloaded with Clients AP Overloaded by Bandwith
- Consumption

Intrusion Detection Detects 16 Threats

- opfed MAC Address Detected Device Probing With NULL SSID
- · Dictionary Attack in EAP Methods
- Abnormal Authentication Failures
- Denial of Service Attacks · Association Flood
- Authentication Flood
- · EAPOL logoff • EAPOL start
- · EAPOL ID Flood
- **EAPOL Spoofed Success**
- Deauthentication Broadcast
- Deauthenrication Flood
- Dis-association Broadcast Dis-association Flood
- RF Jamming

Reliability Management

Detects 13 Sources of Poor Reliability

- · WLAN Hidden Node Problem
- AP System of Firmware Reset
- Station Excessively Switching Between APs
- Packet Error Rate Exceeded AP Association Capacity Full
- Channel with Overloaded APs
- DCF and PCF Controls Active at
- Same Time Conflicting AP Configuration
- Channel with High Noise Levels
- High Multicast/Broadcast Traffic
- · Ad-hoc Station Using AP SSID
- · Station Constantly Probing for Connection

Software Sensor		Appliance Sensor		Management Server		Management Console	
Operating System	Windows 2000, XP (FC Nec Included)	Operating System	Embedded Lim x (Hardware Included)	Operating System	Windows 2000, XP (PC Not Included)	Operating System	Windows 2000, XP (PC Not Included)
Memory	128 MB Minmum	Memory	64 MB	СРО	800MHz Manmun	CPU	800 MHz Minimum
Disk Storage	20 MB Free Space Michaelm	Antenna	Omol-directional. 2.4 GHz: 3.0 dH.	Memory	256 MB Minimum	Memory	256 MB Minimian
		•	5.25 GH± 5.5 obt 5.75 GH± 5.0 ⊲bi	Disk Storage	4 GB Free Space	Disk Storage	20 MB Free Space Minimum
Supported 802.11	Cisco PCM352.	<u>:</u>					
PC or PCI Cards	LMC352, PCI352, NatGear WAR501	802.11 Radio Card	Adveros based a/b/g multi-made card	# Of Sensors Supported	Unilmited		
		10/100 Ethernet Port	2 With Power :Dver Ethernet Option	Information Repository	Aggregate Senson Alarms, wireless device and traffic trends		



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AirMagnet, AirMSE, the AirMagnet logo are trademarks of AirMagnet, Inc.

All other product names mentioned herein may be trademarks of their respective companies.



APPENDIX B

INVESTIGATION OF U.S. PATENT APP. SER. NO. 10/029,687

Claims 26 & 28 of U.S. Patent App. Ser. No. 10/029,687

AIRMAGNET Distributed WLAN
Integrity Management System

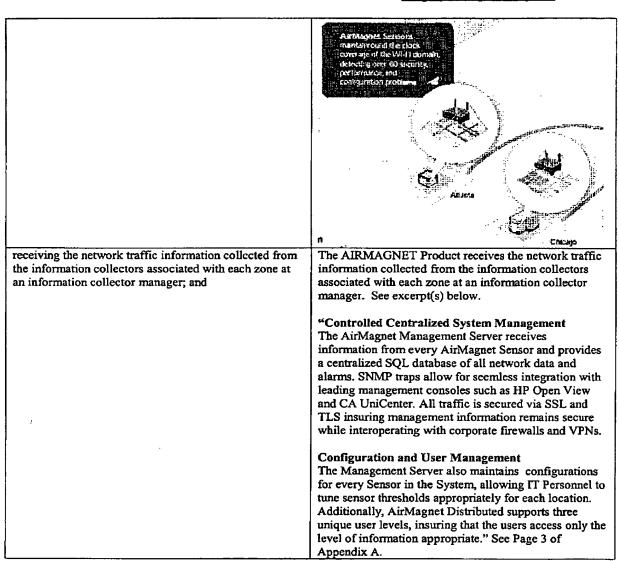
26. A method for reporting on network analysis, comprising:	The AIRMAGNET Product includes a method for reporting on network analysis. See excerpt(s) below. "Each individual sensor is armed with the patent-pending AirWISE Analytical Engine, to autonomously monitor the security, performance, and reliability of the network." See Page 2 of Appendix A.
collecting network traffic information utilizing a plurality of information collectors installed in computers distributed among a plurality of zones;	The AIRMAGNET Product collects network traffic information utilizing a plurality of information collectors installed in computers distributed among a plurality of zones. See excerpt(s) below. "Controlled Centralized System Management The AirMagnet Management Server receives information from every AirMagnet Sensor and provides a centralized SQL database of all network data and alarms. SNMP traps allow for seemless integration with leading management consoles such as HP Open View and CA UniCenter. All traffic is secured via SSL and TLS insuring management information remains secure while interoperating with corporate firewalls and VPNs. Configuration and User Management The Management Server also maintains configurations for every Sensor in the System, allowing IT Personnel to tune sensor thresholds appropriately for each location. Additionally, AirMagnet Distributed supports three unique user levels, insuring that the users access only the level of information appropriate." See Page 3 of Appendix A. See Figure below from Page 2 of Appendix A.

APPENDIX B

INVESTIGATION OF U.S. PATENT APP. SER. NO. 10/029,687

Claims 26 & 28 of U.S. Patent App. Ser. No. 10/029,687

AIRMAGNET Distributed WLAN
Integrity Management System



APPENDIX B

INVESTIGATION OF U.S. PATENT APP. SER. NO. 10/029,687

Claims 26 & 28 of U.S. Patent App. Ser. No. 10/029,687

AIRMAGNET Distributed WLAN
Integrity Management System

generating a report on the network traffic information associated with a selected one of the zones.	The AIRMAGNET Product generates a report on the network traffic information associated with a selected one of the zones. See excerpt(s) below. "Remote Drill-Down One of the most powerful features of the AirMagnet Console is the ability to remotely drill in to any AirMagnet Sensor. This allows Users to securely connect to a particular sensor, from any location, and view detailed information in real-time. Users can view low level data on every channel and device in the area, see alarms, real-time local statistics, and even review packet decodes." See Page 3 of Appendix A.
28. A computer program product for reporting on network analysis, comprising: computer code for collecting network traffic information utilizing a plurality of information collectors installed in computers distributed among a plurality of zones; computer code for receiving the network traffic information collected from the information collectors associated with each zone at an information collector manager; and computer code for generating a report on the network traffic information associated with a selected one of the zones.	Claim 28 is the software analog to Claim 26. The AJRMAGNET Product includes a computer program product for reporting on network analysis, as set forth in Claim 26. See excerpts above.